



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JULY 12, 2004

ITEM NUMBER

**SUBJECT: VESTING TENTATIVE PARCEL MAP PM-03-250
TWO TOWN CENTER (3200 BRISTOL STREET, 3180-3210 PARK CENTER DRIVE, AND
601-675 ANTON BOULEVARD)**

DATE: JULY 1, 2004

FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER (714) 754-5136

DESCRIPTION

The applicant is requesting approval of a vesting tentative parcel map to subdivide 3 existing parcels at Two Town Center into 14 parcels (10 for existing structures, 4 for parking and common areas).

The project was continued from the April 12, 2004, to the April 26, 2004, Planning Commission meeting. It was then continued to the May 24, 2004, meeting, and again to the July 12, 2004, meeting to allow the applicant time to work with City Attorney's Office regarding recommended conditions of approval. Staff is forwarding the original report with revised conditions of approval for Planning Commission review.

APPLICANT

Karen Selleck of RBF Consulting is representing the property owner, Commonwealth Partners LLC.

RECOMMENDATION

Approve by adoption of Planning Commission resolution, subject to conditions.

WENDY SHIH
Associate Planner

PERRY L. VALANTINE
Asst. Development Services Director

cc: Deputy City Manager – Development Svs. Director
Assistant Development Services Director
Acting City Attorney
Senior Deputy City Attorney
City Engineer
Fire Protection Analyst
Staff (4)
File (2)

John Krappman
Common Wealth Partners LLC
633 West Fifth St., 72nd Floor
Los Angeles, CA 90071

Karen Selleck
RBF Consulting
14725 Alton Pkwy
Irvine, CA 92618

File Name: 07122004VPM03250

Date: 07012004

Time: AM

RESOLUTION NO. PC-04-**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING VESTING TENTATIVE PARCEL MAP VPM-03-250**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Karen Selleck, authorized agent for Commonwealth Partners LLC, owner of real property located at 3200 Bristol Street, 3180-3210 Park Center Drive, and 601-675 Anton Boulevard, requesting approval of a Vesting Tentative Parcel Map to subdivide 3 existing parcels into 14 lots (10 for existing structures, 4 for parking and common area); and

WHEREAS, Planning Commission held a duly noticed public hearing on July 12, 2004.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** Vesting Tentative Parcel Map VPM-03-250 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the Staff Report for Vesting Tentative Parcel Map VPM-03-250 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 12th day of July 2004.

Chair, Costa Mesa
Planning Commission

COUNTY OF ORANGE) ss

AYES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Secretary, Costa Mesa
Planning Commission

of

EXHIBIT "A"

FINDINGS

- A. The creation of ten lots and four common lots, as conditioned, is consistent with the City's General Plan and Zoning Ordinances.
- B. The proposed use of the lots is for an existing commercial/office center, which is compatible with the objectives, policies, general land use, and programs specified in the General Plan.
- C. The subject property is physically suitable to accommodate Vesting Tentative Parcel Map PM-03-250 in terms of type, design and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the City's Zoning Code and General Plan.
- D. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as required by Government Code Section 66473.1.
- E. The subdivision and development of the property, as conditioned, will not unreasonably interfere with the free and complete exercise of the public entity and/or public utility rights-of-way and/or easements within the tract.
- F. The discharge of sewage from this subdivision into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).
- G. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.
- H. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B" (Revised)**CONDITIONS OF APPROVAL**

- Plng. 1. CC&Rs, articles of incorporation, if any, and bylaws for the property owners association, if any, shall be reviewed and approved by the Planning Division and City Attorney prior to recordation solely to ensure compliance with the following provisions (and with City's approval not to be unreasonably withheld):
- a. The use, maintenance and repair of common facilities and areas contained on Parcels 2, 11, 13, and 14, including, but not limited to, the use of Parcel 13 consistent with the Declaration referred to in subparagraph d below, parking availability, and landscaping; provided, however, that, unlike Parcel 13, any CC&Rs for Parcel 14 shall not require Parcel 14 to be open to, used for, or be subject to the Declaration or for the benefit of the City or the general public.
 - b. That the owners of Parcels 1, 3, and 4 shall be entitled to the use of Parcels 2 and 14 or Parcels 2 and 14 shall be owned in common by at least the owners of Parcels 1, 3, and 4.
 - c. That the owners of Parcels 5 through 10 shall be entitled to the use of Parcel 11 or Parcel 11 shall be owned in common by at least the owners of Parcels 5 through 10.
 - d. That Parcel 13 shall be owned in common, by at least the owners of Parcels 8 and 9. Any person or entity who becomes an owner of any of the Parcel numbers 8 and 9 shall be jointly and severally liable for performance of all Declarant obligations as such obligations are described in that certain Declaration of Special Land Use Restrictions, Orange County Recorder No. 20020365226, regarding the Noguchi California Scenario, made and entered into by FSP Two Town Center, L.L.C., on January 22, 2002. This provision only shall remain in effect for a term of fifty (50) years from the Effective Date of Development Agreement No. DA-00-04.
 - e. Any subsequent material amendments, revisions or changes to the provisions in the CC&Rs relating to the items subject to City review and approval as set forth above shall be deemed void unless prior review and approval is obtained from the City Attorney's Office of the City of Costa Mesa.
 - f. A Property Owner's Association shall be created for purposes of managing common area maintenance of Parcel 14 if Parcels 1, 3 or 4 are not owned by the same entity. A Property Owner's Association shall be created for purposes of managing common area maintenance of Parcel 13 if at any time Parcels 5 through 10 are not owned by the same entity.
 - g. A copy of the recorded CC&Rs shall be submitted to the Planning Division upon recordation.

BACKGROUND

By request of the property owner's attorney, the application for a vesting tentative parcel map for Two Town Center was continued from the April 12, 2004, Planning Commission meeting. The request for continuance was to allow the applicant time to confirm and understand the time limits associated with approval of the vesting map and the existing final master plan.

The staff report discussing details of the proposed map is attached for reference.

DISCUSSION

As mentioned in the previous staff report, Two Town Center Final Master Plan PA-02-33 was approved in October 2002, and a one-year time extension was granted in December 2003. Without a vesting map, the Zoning Code requires annual renewal of the Master Plan. Per CMMC Sec. 13-29(k)(2), when a vesting tentative map is approved for the project, the time limits to commence construction are commensurate with the time limits associated with the vesting map.

A tentative map approval is valid for 24 months and expires after that time limit if the final map is not recorded, unless an extension of time is granted (Sec. 13-216(a)). Once the final map is approved, the vesting rights associated with the map are valid for an additional 24-month period (Sec. 13-224 (c)(1)). As a result, the time limit to commence construction under the final master plan is now commensurate with the vesting map, which is a minimum of 48 months, or 4 years from approval of this application. Extension of the tentative and/or final map may be granted, if requested.

ENVIRONMENTAL

This request is exempt from the provisions of the California Environmental Quality Act, under Class 15, Minor Land Divisions.

ALTERNATIVES

If the parcel map were denied, the current legal parcel configuration would remain unchanged.

CONCLUSION

Staff does not anticipate any land use impacts as a result of the parcel map, provided the conditions of approval and code requirements are complied with. Approval of the parcel map will allow the legal subdivision of three existing lots into fourteen lots (10 lots for individual buildings and 4 parking/common lots).

Attachments: Draft Planning Commission Resolution



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: APRIL 26, 2004

U11.3.
ITEM NUMBER

SUBJECT: VESTING TENTATIVE PARCEL MAP PM-03-250
TWO TOWN CENTER (3200 BRISTOL STREET, 3180-3210 PARK CENTER DRIVE,
AND 601-675 ANTON BOULEVARD)

DATE: APRIL 15, 2004

FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER (714) 754-5136

PROJECT DESCRIPTION

The applicant is requesting approval of a vesting tentative parcel map to subdivide 3 existing parcels at Two Town Center into 14 parcels (10 for existing structures, 4 for parking and common areas).

APPLICANT

Karen Selleck of RBF Consulting is representing the property owner, Commonwealth Partners LLC.

RECOMMENDATION

Approve by adoption of Planning Commission resolution, subject to conditions.


WENDY SHIH
Associate Planner


PERRY VALANTINE
Asst. Development Services Director

Exhibit "A" - Draft Findings
Exhibit "B" - Conditions of Approval
Planning Commission Agenda Report of April 12, 2004

File Name: 042604VTM03250

Date: 4/15/04

Time 11:30 a.m.

cc: Deputy City Manager - Dev. Svcs.
Sr. Deputy City Attorney
City Engineer
Fire Protection Analyst
Staff (4)
File (2)

John Krappman
Common Wealth Partners LLC
633 West Fifth St., 72nd Floor
Los Angeles, CA 90071

Karen Selleck
RBF Consulting
14725 Alton Pkwy
Irvine, CA 92618



PLANNING COMMISSION AGENDA REPORT

III.3

MEETING DATE: APRIL 12, 2004

ITEM NUMBER

**SUBJECT: VESTING TENTATIVE PARCEL MAP PM-03-250/CONDITIONAL USE PERMIT
TWO TOWN CENTER (3200 BRISTOL STREET, 3180-3210 PARK CENTER DRIVE,
AND 601-675 ANTON BOULEVARD)**

DATE: APRIL 1, 2004

FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER (714) 754-5136

PROJECT DESCRIPTION

The applicant is requesting approval of a vesting tentative parcel map to subdivide 3 existing parcels at Two Town Center into 14 parcels (10 for existing structures, 4 for parking and common areas).

APPLICANT

Karen Selleck of RBF Consulting is representing the property owner, Commonwealth Partners LLC.

RECOMMENDATION

Approve by adoption of Planning Commission resolution, subject to conditions.

WENDY SHIH
Associate Planner

PERRY VALANTINE
Asst. Development Services Director

BACKGROUND

Two Town Center is one of three sub-areas within the South Coast Plaza Town Center. It is bound by Bristol Street to the west, Anton Boulevard to the north, Avenue of the Arts to the east, and the 405-Freeway to the south. The property is developed with office buildings and restaurants. A Two Town Center Final Master Plan PA-02-33, consisting of a new 18-story office building, five level parking structure and an amendment to the South Coast Plaza Town Center Preliminary Master Plan, was approved in October 2002 and an one-year extension of time was granted in December 2003. The center currently consists of 3 parcels. The applicant proposes to subdivide the lots to create a total of 14 parcels (10 for individual buildings and 4 for parking and common areas).

DISCUSSION

Although Two Town Center is comprised of multiple lots and separated by Park Center Drive, it is considered as a single project that is part of the South Coast Plaza Town Center. The proposed map further subdivides existing parcels to create individual lots for each building and lots for parking and ingress/egress purposes.

As provided for by the State Subdivision Map Act, the applicant has applied for a "vesting" tentative parcel map. If Planning Commission approves the vesting tentative parcel map, the Codes applicable at the time of filing, including development standards and fees, remain in effect for this project even if the Codes change.

Vesting Tentative Parcel Map VPM-03-250 would allow individual ownership of each of the buildings. The proposed parcel lines are for financing/leasing purposes only and will not affect the development or operation of the center. The recorded reciprocal access and parking documents required as a part of this application will ensure that all parcels function together as a single project. The map is in compliance with the requirements of the Subdivision Map Act, the North Costa Mesa Specific Plan, final Master Plan approval PA-02-33, and Chapter XI (Subdivision) of the Zoning Code.

ENVIRONMENTAL

This request is exempt from the provisions of the California Environmental Quality Act, under Class 15, Minor Land Divisions.

ALTERNATIVES

If the parcel map were denied, the current legal parcel configuration would remain unchanged.

CONCLUSION

Staff does not anticipate any land use impacts as a result of the parcel map, provided the conditions of approval and code requirements are complied with. Approval of the parcel map will allow the legal subdivision of three existing lots into fourteen lots (10 lots for individual buildings and 4 parking/common lots).

Attachments: Draft Planning Commission Resolution
 Exhibit "A" - Draft Findings
 Exhibit "B" - Conditions of Approval
 Applicant's Project Description and Justification
 Plans

File Name: 041204VPM03250

Date: 4/1/04

Time 12:30 p.m.

cc: Dep. City Mgr. - Dev. Svcs. Director
 Sr. Deputy City Attorney
 City Engineer
 Fire Protection Analyst
 Staff (4)
 File (2)

John Krappman
Common Wealth Partners LLC
633 West Fifth St., 72nd Floor
Los Angeles, CA 90071

Karen Selleck
RBF Consulting
14725 Alton Pkwy
Irvine, CA 92618

EXHIBIT "A"**FINDINGS**

- A. The creation of ten lots and four common lots, as conditioned, is consistent with the City's General Plan and Zoning Ordinances.
- B. The proposed use of the lots is for an existing commercial/office center, which is compatible with the objectives, policies, general land use, and programs specified in the General Plan.
- C. The subject property is physically suitable to accommodate Vesting Tentative Parcel Map PM-03-250 in terms of type, design and density of development, and will not result in substantial environmental damage nor public health problems, based on compliance with the City's Zoning Code and General Plan.
- D. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as required by Government Code Section 66473.1.
- E. The subdivision and development of the property, as conditioned, will not unreasonably interfere with the free and complete exercise of the public entity and/or public utility rights-of-way and/or easements within the tract.
- F. The discharge of sewage from this subdivision into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).
- G. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.
- H. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

DESCRIPTION/JUSTIFICATION

Application #: 110000000
Address: 611 Anton Blvd.

Environmental Determination:

1. Fully describe your request:

TPM 2003-250 encompasses Assessor's Parcel Numbers 410-481-01, 410-481-04 and 410-491-07. This map proposes the subdivision of approximately 20 gross acres into 14 parcels, with the creation of 10 footprint parcels around existing buildings and 4 parcels designated for common area parking, ingress and egress purposes. Bristol Street, Anton Boulevard and Avenue of the Arts are all existing improved public streets dedicated to the City of Costa Mesa.

2. Justification

- A.** For a Conditional Use Permit or Minor Conditional Use Permit: Describe how the proposed use is substantially compatible with uses permitted in the same general area and how the proposed use would not be materially detrimental to other properties in the same area.
- B.** For a Variance or Administrative Adjustment: Describe the property's special circumstances, including size, shape, topography, location or surroundings that deprive the property of privileges enjoyed by other properties in the vicinity under the identical zoning classification due to strict application of the Zoning Code.

3. This project is: (check where appropriate)

☒ In a flood zone.

☐ Subject to future street widening.

☐ In the Redevelopment Area.

☒ In a Specific Plan Area.

4. I have reviewed the HAZARDOUS WASTE AND SUBSTANCES SITES LIST published by the office of Planning and Research and reproduced on the rear of this page and have determined that the project:

☒ Is not included in the publication indicated above.

☐ Is included in the publication indicated above.

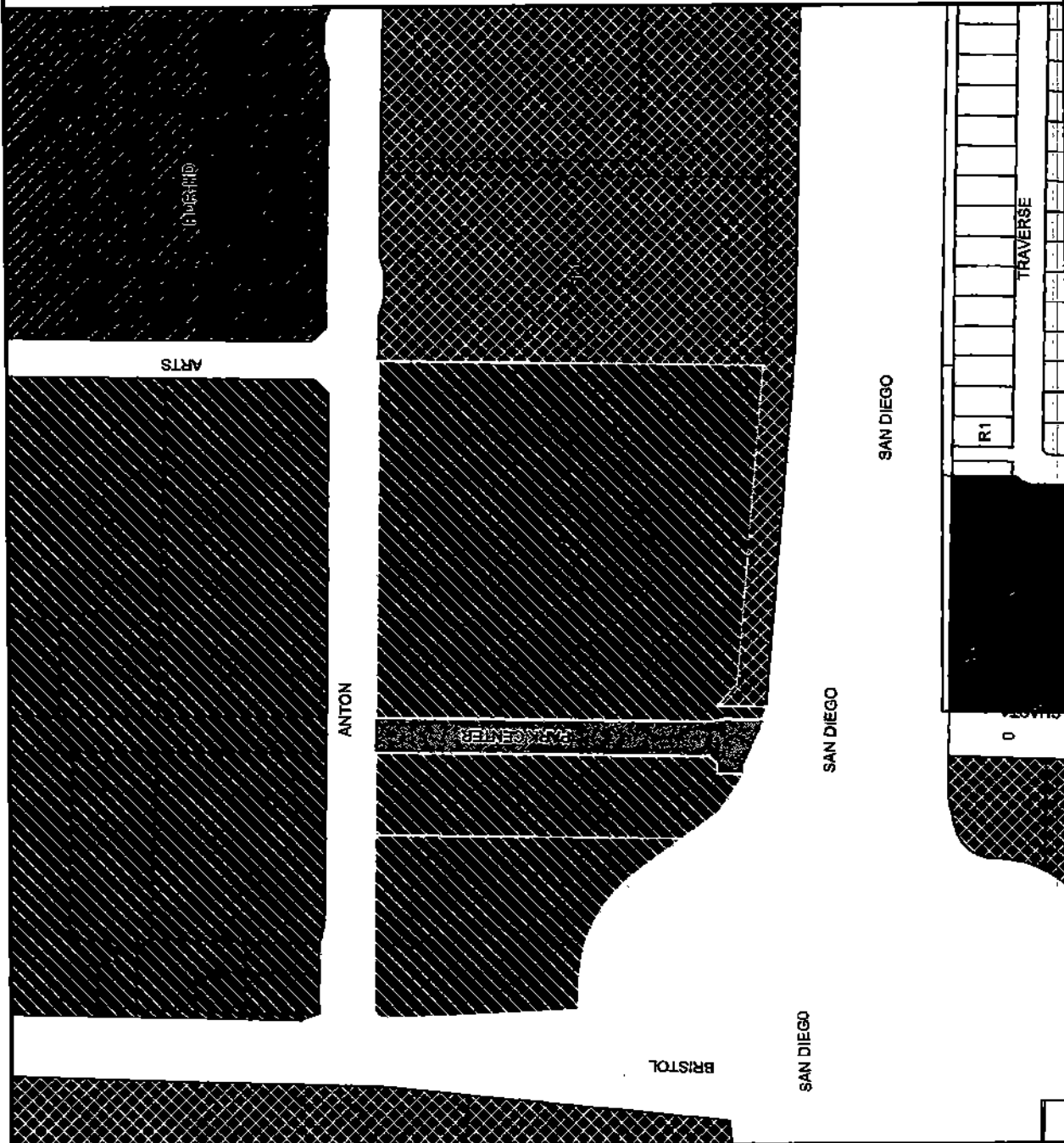
Signature

Date

1-8-04

ZONING/LOCATION MAP

PM-03-250



LEGEND

ZONING

Single Family Residential

Multiple Family Residential (Medium Density)

Multiple Family Residential (High Density)

Multiple Family Residential

Administrative and Professional

Commercial Limited

Shopping Center

Local Business

General Business

Town Center

Planned Development Residential - Low Density

Planned Development Residential - Medium Density

Planned Development Residential - High Density

Planned Development Residential - North Costa Mesa

Planned Development Commercial

Planned Development Industrial

Institutional and Recreational

Institutional and Recreational - School

Off-Street Parking

General Industrial

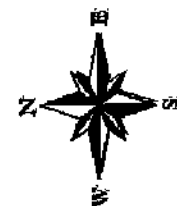
Industrial Park

Specific Plan Areas

Sphere of Influence

City Boundary Line

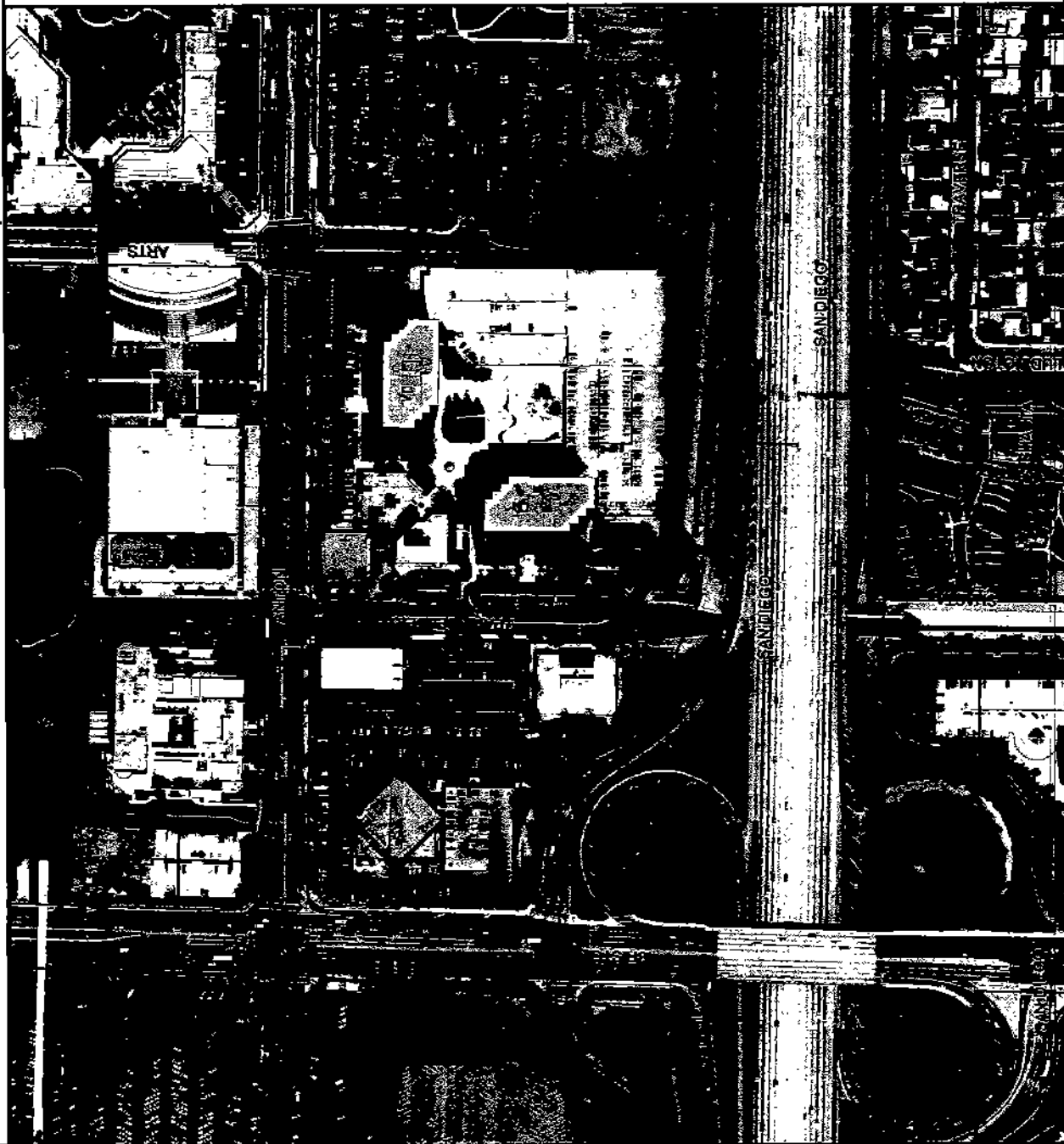
Freeway



0 200 400 800ft

AERIAL PHOTOGRAPH

Two Town Center Parcel Map PM-03-250



LEGEND

- Street Names
- Parcel Lines
- City Boundary
- Ortho Photography
- Parcels

